

HOUSE BILL 1139

By Grills

AN ACT to amend Tennessee Code Annotated, Title 65,
Chapter 25, relative to internet services.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 65-25-134(a)(2), is amended by deleting the language "within the service area of the cooperative in compliance with" and substituting the language "within the service area of the cooperative or, for locations outside the service area of the cooperative, within the service area of another cooperative with a concurrent or adjacent service area if the concurrent or adjacent cooperative gives prior written consent, and in compliance with".

SECTION 2. Tennessee Code Annotated, Section 65-25-134(a)(2), is amended by designating the existing language as subdivision (a)(2)(A) and adding the following as a new subdivision:

(B) Cooperatives operating within service areas that are concurrent or adjacent may enter into a written agreement to allow an adjacent or concurrent cooperative to construct, operate, or maintain infrastructure to provide services not offered by the cooperative with ownership and authority over the service area at issue, and to provide the needed services if:

(i) Persons who reside in the affected service area submit a waiver request to the cooperative with authority over the affected area;

(ii) The cooperatives maintain records that include, at a minimum, the waiver submitted, the participating cooperatives' names and business addresses, the written agreement entered into by the cooperatives, and the date on which the cooperatives entered into the agreement; and

(iii) All records are made available at any time to any authorized representative of the local authority for utilities.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.